

AMENDMENTS TO THE DRAWINGS

The attached replacement drawing sheets include changes to Figures 6, 10(b), 14, and 15. Figure 6 has been amended to include three drawings, Figure 6(a), Figure 6(b), and Figure 6(c), all appearing on one replacement sheet. Figure 10(b) has been amended to include two drawings, Figure 10(b) and Figure 10(c), also appearing on one replacement sheet. Figure 14 has been amended to include three drawings, Figure 14(a), Figure 14(b), and Figure 14(c), all appearing on one replacement sheet. Figure 15 has been modified to include the legend "Prior Art". These sheets replace the originally-filed Figures 6, 10(a) and 10(b), 14, and 15.

REMARKS

The Office Action dated January 10, 2006, has been received and carefully noted. Applicants respectfully request reconsideration of this application in view of the following remarks, which Applicants submit as a full and complete response thereto.

By this response, no claims have been amended. Thus, claims 1-15 are currently pending in the application and subject to examination.

In the Drawings

Figures 6, 9, and 10(b) have been objected to. Responsive to this objection, Figure 6 has been separately labeled as Figures 6(a), 6(b), and 6(c). Figure 10(b) has been relabeled as Figure 10(b) and Figure 10(c). Additionally, Figure 14 has been relabeled as the Examiner suggested to include Figure 14(a), 14(b), and 14(c). Replacement drawing sheets are attached as an Appendix at the end of this document.

The Applicants submit that the objection to Figure 9 is not proper. Figure 9 illustrates a dependency between the two graphs contained in the figure. It is therefore necessary for the graphs to remain part of the same figure.

As such, Applicants respectfully request withdrawal of the objection to Figures 6, 9, and 10(b).

The Office Action also takes the position that Figure 15 does not comply with M.P.E.P. § 608.02 because only what is old is illustrated, and the drawings are not labeled as "Prior Art". Responsive to this objection, the Applicants have attached replacement sheets containing amended Figure 15 as an Appendix at the end of this document. Figure 15 has been amended to include the label "Prior Art."

In the Specification

The disclosure has been objected to as containing informalities. Responsive to this objection, the Applicants have amended the disclosure to add or amend brief descriptions for Figs. 5(a), 5(b), 10(a), 10(b), 13(a), 13(b) and 15, and to add brief descriptions for newly amended Figs. 6(a), 6(b), 6(c), 10(c), 14(a), 14(b), 14(c). Applicants respectfully request withdrawal of the objection.

Double Patenting

Claims 1-15 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-6 of copending U.S. Patent Application No. 11/107,960 (hereinafter "the '960 application"). Applicants respectfully traverse the rejection.

The '960 application was filed on April 15, 2005, over one year after the filing date of the present application. Consequently, the filing of a terminal disclaimer in this application would not shorten the time period that the present application, if issued as a patent, could be enforced. As the present application was the first filed, a double patenting rejection is improper for claims 1-15 of the present application. Therefore, Applicants respectfully request withdrawal of the provisional rejection of claims 1-15 for at least this reason.

Claims 1-15 are also provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-6 of copending U.S. Patent Application No. 10/743,464 (hereinafter "the '464 application").

Applicants submit herewith a Terminal Disclaimer to overcome the obviousness-type double patenting rejection based on the copending '464 application. Applicants respectfully submit that the filing of said Terminal Disclaimer is not an admission by the Applicants of the propriety of the rejection. Given the above, Applicants respectfully request that the obviousness-type double patenting rejection based on claims 1-6 of the '464 application be withdrawn, and request that claims 1-15 be allowed.

Conclusion

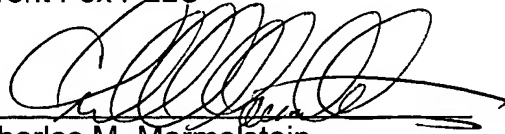
Applicants respectfully submit that this application is in condition for allowance and such action is earnestly solicited. If the Examiner believes that anything further is desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below to schedule a personal or telephone interview to discuss any remaining issues.

In the event that this paper is not considered to be timely filed, an appropriate extension of time is requested.

Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to Counsel's Deposit Account Number 01-2300, referencing Docket Number 101175-00043.

Respectfully submitted,

Arent Fox PLLC

A handwritten signature in black ink, appearing to read 'Charles M. Marmelstein', written over a horizontal line.

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